

## ROOSEVELT STANDS BY ATTACK ON TAFT

Supports Dixon's Arraignment of the President's Use of Patronage.

### THE COLONEL NEVER DID IT

Party of Friends Goes With Him to Oyster Bay to Seek Rest and Retirement.

OYSTER BAY, March 1.—Col. Roosevelt is heartily in accord with the attack made by Senator Joseph M. Dixon, the head of the executive committee of the Roosevelt campaign forces, on "the prostitution of the power of Federal patronage in the Democratic States of the South." Mr. Roosevelt refused to-day to discuss in detail Senator Dixon's arraignment of President Taft's administration, but his answers to questions showed that as to Federal patronage he felt his own hands were clean and that his followers were free to push home the accusation that the present Administration is using patronage to force work-back to the lines of the regulars.

Col. Roosevelt said that never when he was President had he used Federal patronage for his own advantage. In fact he had prevented Federal officeholders from working for his re-nomination or election.

The Colonel's advisers think that the fight in the convention will center about the Southern delegates. The best legal advice obtainable is being sought by the Roosevelt executive committee in seeking to throw out of the convention delegates from certain parts of the South. The Colonel said to-day that he had no definite plans, and when told that of the executive committee he said he would be needed in firing line and that he might be called upon to make speeches.

He will have to get my consent. He still maintains the attitude of a candidate and that must prove that a demand is in the ring, but for a direct fight from the Editor's corner.

He here to-day after over a week Col. Roosevelt intimated to keep as quiet as possible. A week or ten days ago, when he had several guests who will reveal the Colonel's mind. He here to-day after over a week Col. Roosevelt intimated to keep as quiet as possible. A week or ten days ago, when he had several guests who will reveal the Colonel's mind.

Before coming to Oyster Bay Col. Roosevelt put in a busy half day at the Outlook office. He announced when he reached his desk that it was Contributing Editor's day and that his labors would be literary rather than political. But presently in breezy Gov. Stubbs of Kansas, the head optimist of the Roosevelt shouters, Gov. Stubbs had dropped in, he said, on his way to preach the Roosevelt gospel at a meeting in Newark, N. J. He waved his hand with an "It's all over but the shouting" gesture when asked about the boom.

"Why, President Taft's name will never go before the convention!" he boasted. "When Mr. Taft says that he won't carry his own State, Ohio, he will be glad to withdraw. There is nothing but Roosevelt sentiment all over the country. A tidal wave of Rooseveltism is sweeping over America."

Amos Pinchot, brother of Gifford, and said to be one of the financiers of the Roosevelt boom; Dr. Henry Moskowitz, the philanthropist, and others, followed on the heels of Gov. Stubbs, so the Colonel's literary efforts were badly handicapped. He gave up the fight at the luncheon hour and did not return to the Outlook office, but carried his contributing troubles with him when he took the 423 train for Oyster Bay. He was very busy on the way here, but paused for a laugh when a man passing through the train pressed into his hand a printed ballot with the request that he indicate his choice for the Presidential nomination. Col. Roosevelt's name headed the printed list. He glanced at it and handed it back without voting.

Mrs. Roosevelt and Miss Ethel Roosevelt are on their way to Panama, so the Colonel has the big house on the hill all to himself.

The announcement of the personnel of the Roosevelt national committee was followed yesterday by that of the Roosevelt committee of the city of New York, the organization that overlooks local politics from the Metropolitan tower top. Charles H. Duell of 2 Rector street is the president, Elton Huntington Hooker treasurer, and Oliver C. Carpenter, secretary. Mr. Carpenter will have charge of the office work in the tower. His office is almost across the street from the Outlook, so that Mr. Carpenter can get political advice in a hurry when he needs it.

President Duell was Commissioner of Patents under President McKinley and a Judge of the Court of Appeals in the District of Columbia under Roosevelt. Mr. Hooker is president of the Development and Funding Company of 40 Wall street.

In announcing his acceptance of the presidency of the local Roosevelt committee Mr. Duell says that he is in the fight because he believes that "the enrolled Republican voters should be given an opportunity to express their choice for President."

the party machinery are now entirely in the hands of the interests opposed to Col. Roosevelt, and therefore it had become necessary in order to give an opportunity for voters to express their choice that this organization should be formed.

Mr. Duell says that he is sure that a majority of the Republicans in New York want the Colonel nominated because they believe he is brave and strong enough to do right between all men, and that through him, better than by any other instrumentality, the Republican party can continue to guide and direct the progressive movement which is rampant in the land.

### ROOSEVELT SAID HE WOULDN'T

Gave Assurance to Meyer and Stimson That He Would Not Run Against Taft.

WASHINGTON, March 1.—It developed to-day that Col. Roosevelt gave assurance to Secretary of the Navy Meyer, Secretary of War Stimson and others that he would not be a candidate for the Presidential nomination against President Taft. He added that he would not support Mr. Taft or any other candidate. It was in view of these statements that President Taft and others intimately connected with his Administration declined until they had read Mr. Roosevelt's statement to believe that Mr. Roosevelt would enter the race.

It is understood that both Secretary Meyer and Secretary Stimson have felt absolutely released from any obligation they may have to Mr. Roosevelt as a candidate owing to these statements.

Col. Roosevelt now says his anti-third term pledge applied only to a consecutive term. There was, however, no limitation on the assurances he later gave that he would not be a candidate in 1912. These assurances are already embarrassing the Colonel's supporters in Washington.

### FATAL FIRE IN TENEMENT

Woman and Child Burned to Death in Harlem Apartment—Others Endangered.

Fire which started from a carelessly dropped match and swept through the five-story tenement on the northeast corner of 12th street and Amsterdam avenue yesterday afternoon killed Mrs. Margaret Connolly, wife of an employee in the Department of Highways, and her infant daughter, Mary. Their apartment was on the top floor and the policemen and firemen, though very diligent, were unable to reach them before the top floor was shut off by the flames.

The fire was one of those starting in the basement and carried upward, as if a fuse, around an inflammable stairway. After it got a good start, the tenants in the upper floors were in greater danger than those in the floors below.

Fourteen families had apartments in the building. A woman of one of them, searching for clothes in the dark storeroom in the basement, lighted a candle. Soon after she left the storeroom the fire was discovered. It was then too strong for buckets of the dwellers and when the policemen and firemen came they could do little except save inmates and protect adjacent buildings.

Policeman Glynn found Mrs. Kate Dugan hysterical and bewildered, and passed her down a fire escape. Mrs. Joseph Dooley, 70 years old and bed-ridden, and her nephew were taken from one of the upper floors. A score of other tenants were assisted or guided to the fire escape at the rear of the building.

Diagonally across from the burned building is the Sheltering Guardian Society Home, an institution for Episcopal boys and girls. Some of the children were first to notice the woman and child imprisoned on the top floor. At this time the flames shut off approach either by stairway or ladder, but it was only ten minutes later that the firemen, having concentrated streams on the woman's apartment, were able to enter it.

### MISS CAMPBELL'S WILL STANDS

Surrogate Fowler Rejects Contest for a \$2,000,000 Estate.

Surrogate Fowler handed down a decision yesterday sustaining the will of Miss Marie L. Campbell, who died on May 28, 1911, at the age of 30, leaving an estate of more than \$2,000,000, the bulk of which went to four first cousins. Sixteen second and third cousins contested, alleging that it was Miss Campbell's intention to disinherit and that the will was executed through undue influence. They accused Howard Townsend, chairman of the grievance committee of the Bar Association, who had been Miss Campbell's legal representative for years and whose mother was one of the chief legatees.

### SUGAR MEN'S TRIAL

Case Against Parsons, Thomas and Others Likely to Come Up Next Week.

The case of John E. Parsons, Washington B. Thomas and the other officials and directors of the American Sugar Refining Company who have been under Federal indictment since July 1, 1909, on the charge of conspiracy in restraint of trade has been placed at the head of the criminal calendar in the Federal District Court and will probably be called for trial on next Tuesday. United States Attorney Henry A. Wise has been giving practically all his time for four weeks to preparing his case.

In addition to John E. Parsons, who was general counsel and a director of the sugar company, and Mr. Thomas, who was the president, the indicted men are Arthur Donner, John Mayer, George H. Frazier and Thomas B. Harned. The late Charles A. Senn and the late Gustav E. Kissel were also indicted.

All the defendants pleaded not guilty general trial, and were released on bail. There have been several postponements of the case, the longest one due to the fight Kissel made on the contention that the statute of limitations intervened. The matter was carried on appeal to the Supreme Court and the indictment was sustained.

Doctors write prescriptions for all their patients. See Ticket Agents for all expenses for three days. See Ticket Agents for all expenses for three days. See Ticket Agents for all expenses for three days.

WASHINGTON, March 1.—All expenses for three days. See Ticket Agents for all expenses for three days. See Ticket Agents for all expenses for three days.

## FRANTIC SUFFRAGE MOB SMASHES PLATE GLASS

Women in Wild Riot Take the London Bobbies Totally Off Their Guard.

### MRS. PANKHURST IN LEAD

Panic in West End Stores—Asquith's House Stuffed—Huge Damage Done—132 Maccanads Arrested.

Special Wireless and Cable Despatches to THE SUN. LONDON, via Glace Bay, March 1.—Led by Mrs. Emmeline Pankhurst, the suffragettes conducted a concerted window smashing campaign this evening. The demonstration began at Premier Asquith's residence, where three women left a taxi cab and threw stones at the windows of his house.

Simultaneously there were other attacks elsewhere in the city. Women armed with clubs, hammers and stones broke windows indiscriminately in the Government offices and the shops in Whitehall, Piccadilly, and Regent, Oxford and Bond streets. Many women went from place to place in taxicabs and left piles of broken glass in their wake. There was much excitement among the crowds in the streets and the police reserves had to be called out.

There were sixty arrests, among the prisoners being Mrs. Pankhurst, who on her return from America a short time ago endorsed a window smashing campaign.

There was a second outbreak an hour later. Nearly every window was smashed in Liberty's and Swan & Edgar's, two of the biggest shops on Regent street. There were more arrests. All the streets which were attacked are guarded by hundreds of policemen to-night.

One hundred and fifty-two suffragettes were arrested altogether. After she had been arrested, wrenched her arm free from the officer and hurled a stone through a window of the Home Office.

The damage caused by the riot is estimated at \$20,000. LONDON, March 1.—Nearly all of the plate glass windows of the big department stores and clubs on Bond street, Piccadilly, Oxford Circus and Regent street, and many on Regent street, the Strand and Oxford street, were smashed simultaneously this evening by women armed with hammers and stones. The smashing was the feature of a concerted suffrage demonstration.

One woman fired a revolver through a window of the Colonial Office. The bullet smashed the glass but fortunately hit no one. Three women smashed the windows in Premier Asquith's official residence. The windows of other Ministers and members of Parliament were also attacked. The window of the Canadian Pacific Railroad at Charing Cross was demolished.

After breaking the windows the women quietly submitted to arrest. The raid was the biggest ever planned by the militant suffrage element of England. Among the women under arrest are Mrs. Pankhurst and many of the best known of her associates. The women, who acted as if possessed, declared that their acts were a protest at the failure of the Premier to take up the woman suffrage question in Parliament.

The raid came without warning. The militant suffragettes having been remarkably quiet for some time. At the close of a mass meeting at their headquarters the women descended on the fashionable West End. Orders had been issued to pay attention especially to the department stores and the smart shops on the principal thoroughfares. These orders were carried out to the letter, and before the police could interfere the district looked as though it had been raked by artillery. The plate glass windows had vanished and entire streets were littered with broken glass, to the peril of man, horse and auto tire. Many people were in danger from the flying fragments while the destruction was in progress.

Sixty arrests were made within a short space of time. The police were helpless until the reserves were called out in a hurry and a cordon was hastily thrown around the district. All women carrying missiles then were promptly taken into custody and hurried to the police station.

There was something like panic in some of the shops, which were crowded with buyers. Women who feared that the establishments were either being raided by thieves or that they were on fire shrieked and wildly rushed here and there, while the store clerks and attendants hurried to protect the goods displayed in the big show windows.

In order to deceive the police many of the suffragettes went to the district in taxicabs. When they reached points of vantage that had been agreed upon they suddenly jumped out and began their wrecking.

The women who were arrested were taken to the Old Bailey. All were defiant and on their way to prison cheered for "Votes for women" and sang suffrage songs.

A second attack on the department stores was made later and many more windows were smashed, hatchets and clubs being used in many instances. The women fought with the police and despite all efforts of the police reserves the suffragettes succeeded in doing a vast amount of damage. The shopkeepers were frantic over the two outbreaks. The loss in property will be enormous. Dozen of carpenters had to work by lamplight to-night boarding up the windows and extra watchmen had to be employed to guard against thieves.

It was at first thought that to-night's raid was intended to take the place of the demonstration scheduled to be held in Parliament Square on Monday evening, March 4. The distribution of handbills to-night, however, shows that this is not the case. The bills call for public support for the demonstration on Monday evening. This meeting, they declare, is intended as a protest against the action of the Government in not including women in the proposed adult suffrage bill. There is certain to be trouble at Monday night's demonstration.

## MARRIED AND DIDN'T KNOW IT

Parties to Mock Ceremony Performed in 1899 Ask Divorce.

BRIDGEPORT, Conn., March 1.—A mock marriage that after a dozen years turned out to be the real thing is the cause of the suit for divorce that is being brought in the Bridgeport courts by Dr. Howard P. Mansfield of Bridgeport, Conn., and a young woman of Unionville whom the world knows as Miss Clara Georgia, but who has really been Mrs. H. P. Mansfield since 1899.

Since the ceremony Miss Georgia and Dr. Mansfield have not seen each other, so the acquaintance that had its climax in the mock marriage has not ripened into love, and there will be no happy reunion. In November, 1899, Miss Georgia was visiting friends named Taylor in Georgetown, Conn. She met Dr. Mansfield, who had lost his first wife about fourteen months before. With several other young people the pair went visiting in the neighborhood, following the usual country fashion. Among other places, they stopped at the home of one of the townsmen who was a justice of the peace, and Dr. Mansfield jokingly proposed that they go through a marriage ceremony just for fun.

The next morning Miss Georgia ended her visit with the Taylors and returned home to Unionville. She forgot about the incident, and after a while Dr. Mansfield's letters ceased coming, so it was apparent that his ardor too had cooled.

A whole decade and more rushed by. Then one day last summer Miss Georgia received a letter from Dr. Mansfield. It was so mysterious that she telephoned for an explanation. He then wrote that he had discovered by accident that the ceremony they had considered a joke was a binding performance.

### PARACHUTES FROM AEROPLANE

Army Captain Makes Safe Descent From High in Air.

ST. LOUIS, March 1.—For the first time in the history of heavier than air flying a man leaped from an aeroplane at Jefferson Barracks this afternoon and descended in a parachute.

The man was Capt. Albert Berry, son of Capt. John Berry, winner of the national balloon race from Indianapolis. The parachute leap was witnessed by hundreds of soldiers. When the aeroplane landed the soldiers cheered and half carried Berry to the office of Col. Wood, who congratulated him warmly.

Berry and Anthony Janusz, who operated the aeroplane, left the Kinloch field in a two passenger biplane about 2 o'clock. Under the machine was a parachute.

Janusz steered the machine. Berry gave a quick jerk of a rope, a knife flashed, man and parachute plunged downward, while the aeroplane, bounding up, poised and steadied itself. The machine was between 1,000 and 1,500 feet up.

### FLAG FOR THE BRONX

President Miller Approves a Tricolor Emblem and the Borough Is for It.

The get-together spirit in the Borough of The Bronx is to have an emblem in a new flag which Borough President Miller has approved and which has been adopted by The Bronx Beautiful Society and by all the other borough organizations, from the Young Peoples Dramatic Club of Webster avenue to the John J. O'Hanlon Association, as the proper decoration for their clubrooms and private flagpoles on all borough gala days.

The flag of silk is to be hoisted to the top of Borough Hall by President Miller soon with proper ceremonies. In designing the flag they have selected a tricolor of orange, white and blue, very nearly like the colors, archives tell them, which appeared on the banner planted by Jonas Bronck on the banks of the Chigawaruk River (now the Bronx River) in that district, which has come to be known as The Bronx after the explorer. The old flag bears on its field of white the old family shield of the Broncks. All this is to be gorgeously embroidered on the emblem by the women of needleworkers, clubs of the churches in the borough.

### ACCUSED OF ELOPING

Naval Lieutenant Faces Court-Martial at Puget Sound Yard.

WASHINGTON, March 1.—An alleged premature honeymoon trip on the part of Lieut. Chandler K. Jones of the Puget Sound navy yard has led to his court-martial. Lieut. Jones, according to the charges before the Navy Department, obtained leave several weeks ago for a trip to Chicago. A fellow officer in the Marine Corps made complaint to the Department that Jones was accompanied by the fellow officer's wife.

Apparently anticipating disciplinary action, Lieut. Jones had applied for transfer to the Philippines. This had been granted and he was about to sail when the charges reached the Department. Orders were issued to the commandant of the Puget Sound yard to convene a court-martial on March 4, with Capt. Charles T. Pond as president.

There are a number of specifications under charges of conduct unbecoming a gentleman and an officer. It is understood the marine officer already has obtained a divorce.

Lieut. Jones, who was appointed to the Naval Academy in 1890, has been stationed at the Puget Sound station since October, 1910.

### ADMITTED TO BAR AT 56

Lawyer Began Learning English From Sign Boards Ten Years Ago.

BOSTON, March 1.—Moses H. Steuer was admitted to the Massachusetts bar to-day at the age of 56. Ten years ago he began to learn the English language by reading the words on signboards. The early years of his life in this country were spent earning a living through the sale of small wares from a basket.

He had a family to support and read law at night. He got his inspiration to study when he successfully argued his own case before Judge Pierce, in which Steuer recovered from a deputy sheriff who had replevined some of his goods.

ANGOSTURA BITTERS lends delicious flavor to grape-fruit and jellies. Ad.

## W. BAYARD CUTTING DIES ON A TRAIN

Was Being Rushed East From Santa Fe by Special to Prolong His Life.

### DEATH DUE TO INDIGESTION

Had Been Visiting His Son in New Mexico—Physicians Hurried Him Away.

R. Fulton Cutting received a telegram late last night saying that his brother, William Bayard Cutting, had died on a special train on his way from Santa Fe, N. M., where his son Bronson M. has been living. Mr. Cutting left Kansas City at 10 o'clock yesterday morning in a dying condition.

Mr. Cutting died near Rock Island, Ill. The train arrived in Chicago at 1:30 this morning. The distance covered by the special before Mr. Cutting died was about 1,750 miles.

Mr. Cutting's health continued to grow steadily worse as the special moved east. When it reached Kansas City he was unconscious. Heroic expedients were used to keep him alive and at the same time officials of the Rock Island exerted themselves to the utmost to facilitate the movement of the special.

Mr. Cutting suffered from an attack of indigestion on Thursday of last week in Santa Fe. The illness affected his heart and his condition grew worse. The physicians thought that the high altitude of Santa Fe was an unfavorable factor and it was finally decided to bring Mr. Cutting east.

He started from Santa Fe in a special train on Wednesday and arrived in Kansas City over the Rock Island road at 10 o'clock yesterday morning. The physicians then decided that Mr. Cutting could be taken to Chicago safely. It was expected that the train would reach Chicago between 10 and 11 o'clock last night and that Mr. Cutting would be removed to a hotel for the night.

The special train in which Mr. Cutting was travelling consisted of a locomotive, a baggage car and a Pullman car. With him were his wife and daughter Miss Olivia, two physicians and a trained nurse. He was unconscious when the train reached Kansas City.

William Bayard Cutting was born in New York January 12, 1859. He was a descendant of the Rev. Leonard Cutting, clergyman of the Church of England, who brought the family name to this country after having charge of parishes at New Brunswick, N. J., Hempstead and Oyster Bay taught in Columbia College, then King's College, and in 1766 established a school at Hempstead. His wife was a daughter of John Pintard, a member of a Huguenot family.

William Cutting, the only son of the Rev. Leonard Cutting, was a successful lawyer, was Sheriff of New York county in 1807 and 1808 and was interested with his brother-in-law, Robert Fulton, in the development of steam navigation. He held a franchise for the ferry between the foot of what is now Fulton street and Brooklyn. His wife was Gertrude Livingston, daughter of Walter Livingston and Cornelia Schuyler, daughter of Peter Schuyler. She was a niece of Chancellor Livingston.

William Bayard Cutting was the son of Fulton Cutting; fifth son of William Cutting and Cornelia Schuyler. His mother was Justine Bayard, daughter of Robert Bayard and Elizabeth McEvers. He was graduated from Columbia College in 1880 and from the Columbia Law School in 1871. He was associated with his brother, R. Fulton Cutting, in the practice of law at 32 Nassau street and was active in reform politics. He was a Civil Service Commissioner under Mayor Low and also was president of the Tenement House Commission. He also was active in the affairs of the Episcopal Church of this diocese.

Mr. Cutting was a director of the Metropolitan Opera House and a trustee of Columbia College and of the New York Botanical Gardens. The directorates of which he was a member included those of the American Exchange National Bank, the City and Suburban Home Company, the Commercial Union Assurance Company, Ltd., of London; the Commercial Union Fire Insurance Company of New York, the Southern Pacific Company, the Tropical Land Company, Ltd., and the United States Trust Company. His clubs included the Union, Century, Tuxedo, University, Metropolitan, Grouser, Church and Jekey Island. He was also a member of the Huguenot Society.

Mr. Cutting's wife was Olivia Murray, daughter of Bronson Murray and Anne E. Peyton. Their children were William Bayard, Jr., Justine Bayard, Bronson Murray and Olivia. William Bayard Cutting, Jr., died on March 10, 1910, at Assuan, Egypt, after resigning from the diplomatic service because of ill health. His wife was Lady Sybil Cuffe, second daughter of the Earl of Desart. Justine Bayard Cutting married George Cabot Ward.

Mr. Cutting's town house was at 24 East Seventy-second street.

### TUNNEL FOR THE POPE

Regular Walks in Vatican Gardens Hereafter Without Meeting Crowds.

SPECIAL WIRELESS DESPATCH TO THE SUN. ROME, via Glace Bay, March 1.—The tunnel connecting the Pope's apartments with the Vatican gardens has been opened and will be used by the Pontiff. It will enable him to take exercise in the garden at any hour.

Heretofore this has been often impossible because it was necessary for the Pope to pass the art galleries, which were usually filled with people. The physicians are confident that the regular exercise will be of great benefit to the pontiff's health.

### FAMOUS MONASTERY BURNS

BARSTOWN, Ky., March 1.—The famous Trappist monastery at Gethsemane, one of the most noted in the United States, burned this afternoon. It was the home of the "Silent Brotherhood," made famous by James Lane Allen.

### 400 P. M. FROM ATLANTIC CITY

Sunday, Pennsylvania Railroad. Parlor Cars and dining car for Newark and New York. Ad.

## HOLD-UP VICTIM DIES

George T. Horth, Who Was Robbed of \$10,000 Worth of Jewels.

George T. Horth, the John street diamond dealer, who was blackjacked and robbed of \$10,000 worth of diamonds in Thirty-fifth street just east of Sixth avenue a little before 7 o'clock on the night of February 17, died at his home, 213 Third street, Union Hill, at 11 o'clock last night.

He had been confined to his bed since the assault. Dr. J. Clement Justin of West New York had been attending Mr. Horth for cirrhosis of the liver for some time before the assault. Dr. Justin said that the shock suffered by Mr. Horth had greatly aggravated the disease.

Mr. Horth was attended by an ambulance surgeon at the Tenderloin police station, to which he managed to make his way after the attack by the highwaymen. He had some bad scalp wounds and was suffering severely from the shock. It was not until he had been revived by treatment that he was able to tell a connected story of the assault. After he had told the detectives what he knew he went to his home and was put to bed. He did not leave the bed again.

### \$50,000,000 SHORTAGE

Serious Scandal Revealed in Russian Army Finances.

SPECIAL CABLE DESPATCH TO THE SUN.

ST. PETERSBURG, March 1.—A scandal which will eclipse all others growing out of the conduct of the war with Japan was predicted here to-day upon the announcement of the auditing board that huge sums advanced for the army had not been accounted for.

Fifty million dollars is declared to have disappeared, probably into the pockets of high Government officials. The authorities promised a rigorous investigation and men high up in civil and military affairs are likely to be implicated.

### MAY FREE HARRIS AND BLANCK

Question of Former Jeopardy Apt to Cause Dismissal of Other Indictments.

The case of Max Harris and Isaac Blanck, once acquitted of a charge of manslaughter brought against them because of the fire in their shirtwaist factory on March 25 last, when 146 lives were lost, and against whom there remain six similar indictments for the same cause, will come up again in the criminal branch of the Supreme Court on March 11, before Justice Seabury.

Assistant District Attorney Bostwick moved yesterday that a date be set for their trial on one of the other indictments. Max D. Steier, counsel for Harris and Blanck, pleaded former jeopardy. The question of former jeopardy is one of fact and must be settled by a jury. Justice Seabury set March 11 as the date for the selection of a jury.

### TO PROHIBIT ART EXPORTS

France Takes Alarm Over J. P. Morgan Sending His Enamels to New York.

SPECIAL CABLE DESPATCH TO THE SUN.

PARIS, March 1.—France is about to adopt an art law similar to that now in force in Italy. The Government is drawing up the bill. The measure will be introduced in the Chamber of Deputies in a short time.

The primary reasons for the law, it is declared, is to be found in the successful efforts of J. P. Morgan and other American collectors to obtain art works in France.

The object of the law will be to prevent works of the masters from being taken from the country.

Michael Nathan, the American Government inspector, is now here sealing Mr. Morgan's million dollar enamel collection preparatory to its removal to New York.

### FRANKLIN FINED \$4,000

Judge Expresses Sorrow That He Can't Send Jury Briber to Jail.

LOS ANGELES, March 1.—Denouncing Bert H. Franklin and expressing regret that he could not send him to prison Judge George C. Canalis this morning fined Franklin \$4,000 for influencing Robert F. Bain, a juror in the J. B. McNamara case.

Franklin paid Bain \$400 to vote for the acquittal of J. B. McNamara and promised him \$3,600 more.

Four thousand dollars that Franklin had when arrested was seized and is now in possession of the District Attorney. It was said to-day that no one has claimed this money except Franklin, and that it would be paid to him by the State. It is to be held, however, pending the determination of the cases against Clarence Darrow in which he is charged with bribery. Franklin is expected to swear that the \$4,000 was given to him by Darrow.

### FIREMEN IN EXPLOSION PERIL

Leap From Roof Just Before It Is Wrecked—Building Destroyed.

The neighborhood about Tenth avenue and Fifty-fourth street was routed out of bed by the smoke of a fire which burned through the five story factory building at 794 Tenth avenue and endangered the lives of many firemen. It started in the rooms of the New York Auto Lamp Company on the second floor just before midnight.

It was long before it had jumped into the third floor, where the Republic Tire and Shoe Company has a plant. That called for a third alarm, which brought Fire Chief Kenlon.

On the south side of the factory a tenement house was cleared out by the police, while on the north side they had to lead out a score of horses from the stables of the Stokes Coal Company.